

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION

JEFFREY WADE COOPER #137832,

Plaintiff,

v.

TERESA MATTOX, et al.,

Defendants.

No. 1:14-CV-00149
Senior Judge Haynes

O R D E R

Plaintiff, Jeffrey Wade Cooper, an inmate at the Bledsoe County Correctional Complex in Pikeville, Tennessee, filed this *pro se* rights action under 42 U.S.C. § 1983 (ECF No. 1), and his application to proceed *in forma pauperis*. (ECF No. 2.) After review of his application, Plaintiff lacks sufficient funds in his trust account to pay the entire filing fee in advance, Plaintiff's application to proceed as a pauper (ECF No. 2) is **GRANTED**.

Pursuant to 28 U.S.C. §§ 1915(b) and 1914(a), Plaintiff is nonetheless assessed the \$350.00 civil filing fee. The Warden of the Bledsoe County Correctional Complex, as custodian of Plaintiff's trust account, is **DIRECTED** to submit promptly to the Clerk of Court the greater of: (a) 20% of the average monthly deposits to Plaintiff's credit at the prison; or (b) 20% of the average monthly balance to Plaintiff's credit for the six-month period immediately preceding the filing of the complaint. 28 U.S.C. § 1915(b)(1). Thereafter, the custodian shall submit 20% of Plaintiff's preceding monthly income (or income credited to Plaintiff for the preceding month), but only when Plaintiff's monthly income exceeds \$10.00. 28 U.S.C. § 1915(b)(2). Payments shall continue until the \$345.00 outstanding balance of the filing fee has been paid in full to the Clerk of Court. 28 U.S.C. § 1915(b)(3).

The Clerk of Court **MUST** send a copy of this Order to the Bledsoe County Correctional

Complex to ensure compliance with that portion of 28 U.S.C. § 1915 pertaining to the payment of the filing fee. If Plaintiff is transferred from his present place of confinement, the Warden must ensure that a copy of this order follows Plaintiff to his new place of confinement, for continued compliance herewith. All payments made pursuant to this order must be submitted to the Clerk of Court for the United States District Court for the Middle District of Tennessee, 801 Broadway, Nashville, TN 37203.

In accordance with the Memorandum filed herewith, this action is **DISMISSED without prejudice** for failure to state a claim upon which relief can be granted. 28 U.S.C. §§ 1915(e)(2) and 1915A. Any appeal of this Order would not be in good faith as required by 28 U.S.C. § 1915(a)(3).

This is the Final Order in this action.

It is so **ORDERED**.

ENTERED this the 7th day of December, 2014.


WILLIAM J. HAYNES, JR.
Senior United States District Judge